

FILED

NOV 6 2020

**SUSAN Y. SOONG
CLERK, U.S. DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA**

Antonio Medina
PO Box 361361
Milpitas, California 95035
(714) 418-1183
Plaintiff

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

ANTONIO MEDINA,

Plaintiff,

v.

MICROSOFT CORPORATION, et al.,

Defendants.

Case No. 3:14-cv-00143-RS

**DECLARATION OF DR. ANTONIO
MEDINA IN SUPPORT OF MOTION TO
STRIKE AND SEAL**

Judge: Honorable Richard Seeborg

I, ANTONIO MEDINA, declare as follows:

1. I am the Plaintiff in the above-referenced matter. I know the facts declared herein to be true of my own personal knowledge and belief except for those facts which are stated on information and belief, and as to those facts, I believe them to be true. If called as a witness, I would competently testify thereto.
2. I make this declaration in support of my motion strike and seal false and irrelevant matter.
3. I contacted Microsoft's attorney Judith Jennison by email to confer about the filing of this motion to seal. She indicated that: "you may inform the Court in your motion that you consulted Microsoft, and that while Microsoft does not believe it is appropriate to seal any part of the record, Microsoft is amenable to the Court rendering a decision *ex parte*."
4. I do not have "two federal bank fraud convictions."
5. I have not "twice been convicted of criminal bank fraud."
6. I have not "been convicted of fraudulently altering a check for \$365 to \$365,000."
7. These false allegations are contained in a Protective Order, Dkt. No. 77.
8. These false allegations were first introduced by Defendant Microsoft in its motion for the Protective Order, Dkt. No. 53.

- 1 9. In my opposition to Microsoft motion for the Protective Order, I declared under oath that
2 Microsoft's narration of events was in many accounts false and unsupported by competent
3 evidence. In essence, I disputed the facts and objected to Microsoft's facts as hearsay.
- 4 10. I do not recognize some of the cases purported to be mine in Microsoft's motion for a
5 Protective Order. I was not a party in those cases.
- 6 11. I was not aware that the discovery proceedings were made part of the court file. I believed
7 that discovery matters are not filed with the court, under the district judge. I did not expect
8 that these discovery matters would be disseminated, made available, published and
9 republished to the public.
- 10 12. I have discovered that at present Google internet search using merely my name Antonio
11 Medina and Microsoft brings up the offending pleadings from multiple independent
12 websites, which republish the Protective Order without any restriction. Anyone in the
13 public can do the same. Other sites do the same but require registration. These internet
14 republications of court pleadings are relatively new and growing as websites are now
15 republishing and making available to the public at large and free of charge any court
16 records, not just court opinions.
- 17 13. I have been damaged and continue to be damaged by this injury to my reputation.
- 18 14. This is just a sample or partial list of links to websites that re-publish the Protective Order
19 to the public at large:
20 <https://www.casemine.com/judgement/us/5914ee10add7b0493495ae70>
21 <https://www.leagle.com/decision/infdco20140808a53>
22 [https://www.docketbird.com/court-documents/Medina-v-Microsoft-Corporation-et-
23 al/Order-by-Magistrate-Judge-Jacqueline-Scott-Corley-granting-in-part-53-Motion-for-
24 Protective-Order-jscl2-COURT-STAFF/cand-3:2014-cv-00143-00077](https://www.docketbird.com/court-documents/Medina-v-Microsoft-Corporation-et-al/Order-by-Magistrate-Judge-Jacqueline-Scott-Corley-granting-in-part-53-Motion-for-Protective-Order-jscl2-COURT-STAFF/cand-3:2014-cv-00143-00077)
25 [https://www.docketbird.com/court-documents/USA-v-Little/Order-by-Magistrate-Judge-
26 Jacqueline-Scott-Corley-granting-in-part-53-Motion-for-Protective-Order-jscl2-COURT-
27 STAFF/cand-3:2014-cv-00143-00077.](https://www.docketbird.com/court-documents/USA-v-Little/Order-by-Magistrate-Judge-Jacqueline-Scott-Corley-granting-in-part-53-Motion-for-Protective-Order-jscl2-COURT-STAFF/cand-3:2014-cv-00143-00077)
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1 15. This is a partial list of websites that re-publish the offending pleadings on their websites:
2 www.leagle.com; www.casemine.com; www.casetext.com; www.docketbird.com;
3 www.findlaw.com; www.law360.com; www.versuslaw.com; www.justia.com;
4 www.casemakerx.com; https://scholar.google.com.

5 16. I have contacted the persons responsible for republishing the Protective Order and asked
6 them to stop access to the Protective Order at their website as they are defamatory,
7 informally, and by means of a cease and desist letter. They have refused unless they are
8 compelled by court order. The owner of Leagle.com, Donald Johnson aka Shakeel
9 Mustafa, has further represented to me that Judith Jennison uploaded the Protective Order,
10 Dkt. No. 77 and that he will not remove it from his website if it is merely sealed, as he
11 contends that sealing by the court does not compel him to do the same.
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13 I declare under penalty of perjury under the laws of the United States of America that
14 the foregoing is true and correct. Executed on November 2, 2020, in San Jose, California.

15 By: 

16 Antonio Medina
17 pro se
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